



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN NIGRO.

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

PRESENT: CHAIRMAN TODD NIGRO, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

EXCUSED: MEMBER BYRON GOYNES

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., DOUG RANKIN – PLANNING & DEVELOPMENT DEPT., GINA VENGLASS – PUBLIC WORKS, RICK SCHRODER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

MINUTES:

GARY LEOBOLD, Planning and Development Department, stated that the applicants for the following items requested the items be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 3 [TMP-5935]	Abeyance to 3/10/2005 Planning Commission Meeting
Item 5 [VAC-5793]	Abeyance to 4/28/2005 Planning Commission Meeting
Item 21 [MOD-5784]	Abeyance to 4/28/2005 Planning Commission Meeting
Item 22 [ZON-5785]	Abeyance to 4/28/2005 Planning Commission Meeting
Item 23 [VAR-5786]	Abeyance to 4/28/2005 Planning Commission Meeting

Item 24 [VAR-5792]	Abeyance to 4/28/2005 Planning Commission Meeting
Item 25 [SDR-5781]	Abeyance to 4/28/2005 Planning Commission Meeting
Item 28 [RQR-5683]	Abeyance to 3/24/2005 Planning Commission Meeting
Item 33 [VAR-5945]	Abeyance to 3/24/2005 Planning Commission Meeting
Item 39 [WVR-5955]	Abeyance to 3/10/2005 Planning Commission Meeting
Item 40 [WVR-5956]	Abeyance to 3/10/2005 Planning Commission Meeting

PAUL LARSEN, 300 S. 4th Street, Las Vegas, NV appeared on behalf of the applicant and requested Item 38 [SUP-5941] be Withdrawn Without Prejudice.

COMMISSIONER McSWAIN stated she would vote on the abeyance for Item 39 [WVR-5955] and Item 40 [WVR-5956], as her company, Terra Contracting, is under contract with Beazer Homes. However, she would not vote when these items come before the Commission again.

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

(6:03 – 6:08)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

SUBJECT:

Approval of the minutes of the January 13, 2005 Planning Commission Meeting

MOTION:

N/A

MINUTES:

A motion/vote was not taken, as the minutes were not on this agenda. The 1/13/2005 Planning Commission minutes will be ready for approval at the 3/10/2005 Planning Commission Meeting.

(6:03)

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

CHAIRMAN NIGRO announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN NIGRO read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

CHAIRMAN NIGRO noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5843 - TENTATIVE MAP - WEST CHARLESTON SHOPPING CENTER -
APPLICANT: DWYER ENGINEERING, INC. - OWNER: SYUFY ENTERPRISES -
Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 3.8 acres south of Charleston Boulevard, approximately 500 feet east of Wilshire Street (APN 163-01-502-005 through 008), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

This is Final Action

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:08 – 6:08)

1-218

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 1 – TMP-5843

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-5556).
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

5. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or #234.3 for a bus turnout adjacent to this site prior to the issuance of any permits or the recordation of a commercial subdivision map for this site, whichever may occur first, unless specifically not required in the approved Traffic Impact Analysis. Grant a Traffic Signal Chord Easement at the southwest and southeast corners of the Brush Street intersection.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Access of any type, including construction traffic, shall not be taken from the proposed Brush Street entry until all necessary modifications to the existing traffic signal are complete. All work within the Charleston Boulevard right-of-way shall receive approval from the Nevada Department of Transportation.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 1 – TMP-5843

CONDITIONS – Continued:

the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
10. All notes discussed within Las Vegas Municipal Code Title 18 Subdivision Ordinance Section 18.10.230, subsections (A), (B), and (C) are required and shall appear on the recorded Final Map.
11. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-5556 and all other applicable site-related actions.
12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5913 - TENTATIVE MAP – TOWN CENTER L-TC 55 NO. 4 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: PARDEE HOMES OF NEVADA, ET AL - Request for a Tentative Map FOR A 108 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 20.18 acres adjacent to the northwest corner of Fort Apache Road and Deer Springs Way (APN 125-19-602-001 through 011), T-C (Town Center) Zone [L-TC (Low Density Residential – Town Center) Special Land Use Designation], Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

This is Final Action

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:08 – 6:08)

1-218

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 2 – TMP-5913

CONDITIONS – Continued:

2. The development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-5317), particularly those special conditions listed herein, and the Town Center Development Standards.
3. Access to the multi-use transportation trail along Fort Apache Road shall be provided by way of gates to each of the interior streets through the private drainage and public utility easements shown. Access to Sun Shire Street shall be provided at the bus stop to Deer Springs Way.
4. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting the conditions of approval herein shall be approved by the Planning and Development Department and Public Works Department staff.
5. Street names must be provided in accordance with the City's Street Naming Regulations.
6. All development is subject to the conditions of City departments and state subdivision statutes.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
8. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 2 – TMP-5913

CONDITIONS – Continued:

Public Works

9. On the Final Map for this site, label the Multi-Use Transportation Trail adjacent to this site along Fort Apache Road as "20-foot wide Multi-Use Trail Easement to be privately maintained by the Homeowners Association". In addition, per Title 18 Appendix E, the Owner's Certificate shall include the following paragraph, "Provided, however, that no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement."
10. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
11. A Master Streetlight Plan for public streetlights must be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings for this site
12. The Final Map for this site shall be labeled as a "Merger and Resubdivision."
13. Site development to comply with all applicable conditions of approval for ZON-5313, ZON-4216, Town Center Standards and all other applicable site-related actions.
14. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-5935 - TENTATIVE MAP - EASTON PLACE AT PROVIDENCE - APPLICANT/OWNER: PN II, INC D/B/A PULTE HOMES OF NEVADA - Request for a Tentative Map FOR A 169-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 22.23 acres (POD 303a & 303b) adjacent to the west side of Shaumber Road, approximately 630 feet south of Dorrell Lane (APN 126-24-210-002 and 003; 126-24-201-005), PD (Planned Development) Zone [ML (Medium Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

EOT-5921 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: MARCELINO GONZALES - Request for an Extension of Time of an approved Variance (VAR-1312) TO ALLOW FOUR 56 FOOT WIDE LOTS WHERE 65 FOOT WIDE LOTS ARE THE MINIMUM REQUIRED on property adjacent to the east side of Pecos Road, approximately 125 feet south of Sunrise Avenue (APN 140-31-401-008), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Planning Commission Approval Letter for VAR-1312

MOTION:

TRUEDELL – APPROVED subject to condition – UNANIMOUS with GOYNES excused

This is Final Action

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:08 – 6:08)

1-218

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on 01/09/07 unless another Extension of Time is approved by the Planning Commission.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAC-5793 - VACATION - PUBLIC HEARING -
APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Petition to Vacate U.S. Government Patent Easements generally located west of Cliff Shadows Parkway, north of the Buckskin Avenue alignment, Ward 4 (Brown).

SET DATE: 03/16/05

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to bring forward and **HOLD IN ABEYANCE** Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; **WITHDRAW WITHOUT PREJUDICE** Item 38 [SUP-5941] – **UNANIMOUS** with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

RQR-5925 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CHETAK DEVELOPMENT CORPORATION - Required Two Year Review of an Approved Special Use Permit (SUP-1274) FOR A 55 FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2236 Paradise Road (APN 162-03-411-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. City Council Approval Letter for SUP-1274

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he has an economic interest in the property related to this application and GOYNES excused

To be heard by the City Council on 04/06/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, gave a brief overview of the application. He pointed out that the continued Off-premise Advertising (Billboard) Sign use on the subject site is not appropriate. On 11/03/04, the City Council approved a project west of the subject site for a 73-story, 1.3 million square foot mixed use development consisting of 960 condominium units

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 6 – RQR-5925

MINUTES – Continued:

and 25,000 square feet of commercial uses. The recently approved mixed-use development represents a redevelopment effort in the immediate area. Staff recommended approval subject to a review in one year. Should this project be underway upon the next review of this application, a renewal of the Special Use Permit may not be necessary.

WILL KEMP, Chetak Development, 3800 Howard Hughes Parkway, Ste. 1700, Las Vegas, appeared on behalf of the applicant and concurred with staff's conditions. He showed photos verifying that the existing graffiti on the support pole of the billboard sign had been removed. In conversations with the developers regarding the upcoming project on the adjacent property, it is understood that the subject billboard sign would not interfere with that project, which is slated to begin construction in approximately two years. MR. KEMP informed COMMISSIONER McSWAIN that it has not been determined what area would be used as a staging area once construction commences.

COMMISSIONER McSWAIN was somewhat surprised that staff recommended approval on this application. Even though there has not been sufficient change in the area and the subject site is not along Las Vegas Boulevard, she believed the application would still go away in one year, given the long-term goals of the downtown area. MR. KEMP understood COMMISSIONER McSWAIN'S concern but felt that the upcoming project would more than likely be built in two years and not one year. MARGO WHEELER, Planning and Development, stated that the defined area of the Scenic Byway was specifically written to include only properties directly having Las Vegas Boulevard frontage. In this case, the subject property is not within the scenic byway parameters. COMMISSIONER McSWAIN then stated she would support the one-year review but would have liked an acknowledgement from the applicant that the billboard sign would go away in one year.

COMMISSIONER STEINMAN was concerned that the review is what caused the applicant to correct the graffiti issue. He did not appreciate the applicant removing the graffiti on the same day as this meeting, as this was not appropriate. He felt that maintenance should be done on a regular basis, as graffiti can sometimes be a frequent problem. The graffiti on the subject billboard sign had existed since the submittal of the application. MR. KEMP responded that the billboard sign is still under construction, yet the item was on the agenda for a two-year review. MS. WHEELER explained to COMMISSIONER STEINMAN that in some cases, conditions are written to state the review is from the time of the issuance of a business license or a building permit. In this case, the review is from the time of the action taken by the City Council, which is why the application was before the Commission at this time.

COMMISSIONER STEINMAN concluded that the subject site is the wrong location for the billboard sign, especially with the anticipated development, and he supported a one-year review.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 6 – RQR-5925

MINUTES – Continued:

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:13 – 6:13)

1-369

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the Off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premise Advertising (Billboard) Sign is removed.
2. If the existing Off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new Off-premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-5939 - REQUIRED FIVE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468 - Required Five Year Review of an approved Special Use Permit (U-0216-90) WHICH ALLOWED A 40 FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4100 West Charleston Boulevard (APN 139-31-801-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. City Council Approval Letter for U-216-90

MOTION:

McSWAIN – DENIED – Motion carried with TRUESDELL and EVANS voting NO and GOYNES excused

This is Final Action

MINUTES:

GARY LEOBOLD, Planning and Development, stated that the continued use of the billboard sign on the subject site is appropriate in that there has been little change in the area. Staff recommended approval.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 7 – RQR-5939

MINUTES – Continued:

ROD CARTER, Clear Channel Outdoor, 2880 Mead Avenue, Las Vegas, concurred with staff's recommendations.

COMMISSIONER McSWAIN asked staff if the Springs development project at the Las Vegas Valley Water District would have an impact on this billboard. MR. LEOBOLD responded that it would be difficult to determine at this time being that the project is further in the future. COMMISSIONER McSWAIN stated she does not generally support billboards along Charleston Boulevard and felt that the subject site was not an appropriate location for the billboard. She disagreed with staff in that there has been change in the neighborhood as there have been upgrades to area properties. Even though the billboard conformed to the required distance separation, it is still coming into a residential area and is not compatible. She would not support the application. COMMISSIONER STEINMAN concurred with COMMISSIONER McSWAIN'S comments.

No one appeared in opposition.

(6:13 – 6:23)

1-606

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-5901 - VACATION - PUBLIC HEARING - APPLICANT: JHR ASSOCIATES - OWNER: SEEGMILLER PARTNERS, LLC - Petition to Vacate Public Utility Easements at 205 Hoover Avenue, Ward 1 (Tarkanian).

SET DATE: 03/16/05

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 8 – VAC-5901

MINUTES – Continued:

COMMISSIONER McSWAIN requested that Item 6 [RQR-5925] and Item 7 [RQR-5939] be pulled from One Motion One Vote so a discussion could take place.

VICE CHAIRMAN TRUESDELL stated he would abstain on Item 6 [RQR-5925], as he has an economic interest in the property related to this application.

MARGO WHEELER, Planning and Development, informed the Commission that Item 11 [SDR-5924] should be Final Action, if approved.

COMMISSIONER McSWAIN stated that she would abstain on Item 10 [VAC-5936], as her company, Terra Contracting, is involved in litigation with the sister company of Pulte Homes.

PATRICK BATTÉ, City of Las Vegas, Department of Public Works, 400 Stewart Avenue, Las Vegas, request that Item 11 [SDR-5924] be brought before the City Council on 4/06/2005 and not be Final Action.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

(6:08 – 6:13)

1-237

CONDITIONS:

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 8 – VAC-5901

CONDITIONS – Continued:

needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-5902 - VACATION - PUBLIC HEARING - APPLICANT: JHR ASSOCIATES - OWNER: SP SAHARA DEVELOPMENT, LLC - Petition to Vacate a 15 foot wide Public Utility Easement at 200 West Sahara Avenue, Ward 1 (Tarkanian).

SET DATE: 03/16/05

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 9 – VAC-5902

MINUTES – Continued:

COMMISSIONER McSWAIN requested that Item 6 [RQR-5925] and Item 7 [RQR-5939] be pulled from One Motion One Vote so a discussion could take place.

VICE CHAIRMAN TRUESDELL stated he would abstain on Item 6 [RQR-5925], as he has an economic interest in the property related to this application.

MARGO WHEELER, Planning and Development, informed the Commission that Item 11 [SDR-5924] should be Final Action, if approved.

COMMISSIONER McSWAIN stated that she would abstain on Item 10 [VAC-5936], as her company, Terra Contracting, is involved in litigation with the sister company of Pulte Homes.

PATRICK BATTE, City of Las Vegas, Department of Public Works, 400 Stewart Avenue, Las Vegas, request that Item 11 [SDR-5924] be brought before the City Council on 4/06/2005 and not be Final Action.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

(6:08 – 6:13)

1-237

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by Zoning Reclassification Z-2-99 and SDR-4534 may be used to satisfy this requirement provided that it addresses the area to be vacated.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 9 – VAC-5902

CONDITIONS – Continued:

performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-5936 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: PN II, INC. D/B/A PULTE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located west of Shaumber Road, south of Dorrell Lane, Ward 6 (Mack).

SET DATE: 03/16/05

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is in litigation with a sister company of Pulte Homes and GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 10 – VAC-5936

MINUTES – Continued:

COMMISSIONER McSWAIN requested that Item 6 [RQR-5925] and Item 7 [RQR-5939] be pulled from One Motion One Vote so a discussion could take place.

VICE CHAIRMAN TRUESDELL stated he would abstain on Item 6 [RQR-5925], as he has an economic interest in the property related to this application.

MARGO WHEELER, Planning and Development, informed the Commission that Item 11 [SDR-5924] should be Final Action, if approved.

COMMISSIONER McSWAIN stated that she would abstain on Item 10 [VAC-5936], as her company, Terra Contracting, is involved in litigation with the sister company of Pulte Homes.

PATRICK BATTÉ, City of Las Vegas, Department of Public Works, 400 Stewart Avenue, Las Vegas, request that Item 11 [SDR-5924] be brought before the City Council on 4/06/2005 and not be Final Action.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

(6:08 – 6:13)

1-237

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Tentative Map TMP-5935 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 10 – VAC-5936

CONDITIONS – Continued:

5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5924 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SCHOOL BOARD OF TRUSTEES - Request for Site Development Plan Review FOR A PROPOSED CITY PARK on 5.05 acres adjacent to the northwest corner of El Campo Grande Avenue and Bradley Road (a portion of APN 125-25-302-001), C-V (Civic) Zone, Ward 6 (Mack).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 11 – SDR-5924

MINUTES – Continued:

COMMISSIONER McSWAIN requested that Item 6 [RQR-5925] and Item 7 [RQR-5939] be pulled from One Motion One Vote so a discussion could take place.

VICE CHAIRMAN TRUESDELL stated he would abstain on Item 6 [RQR-5925], as he has an economic interest in the property related to this application.

MARGO WHEELER, Planning and Development, informed the Commission that Item 11 [SDR-5924] should be Final Action, if approved.

COMMISSIONER McSWAIN stated that she would abstain on Item 10 [VAC-5936], as her company, Terra Contracting, is involved in litigation with the sister company of Pulte Homes.

PATRICK BATTE, City of Las Vegas, Department of Public Works, 400 Stewart Avenue, Las Vegas, request that Item 11 [SDR-5924] be brought before the City Council on 4/06/2005 and not be Final Action.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 8 [VAC-5901], Item 9 [VAC-5902], Item 10 [VAC-5936] and Item 11 [SDR-5924].

(6:08 – 6:13)

1-237

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
2. All development shall be in conformance with the site plan and building elevations date stamped 01/11/05, except as amended by conditions herein.
3. Handicapped parking spaces shall be provided in the parking area in accordance with Title 19 requirements.
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
5. A stamped landscape plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 11 – SDR-5924

CONDITIONS – Continued:

6. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting, if used, shall utilize 'shoe-box' fixtures and downward-directed lights. Property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.
9. A Traffic Impact Analysis or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - GPA-5762 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request to amend a portion of the Centennial Hills Sector Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – UNANIMOUS with GOYNES excused

To be heard by the City Council on 4/06/2005

NOTE: Commissioner Davenport disclosed that Daniel Markoff represented him more than 10 years ago, so it would not affect his voting on this item.

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 12 [GPA-5762] and Item 13 [ZON-5765].

GARY LEOBOLD, Planning and Development, gave a brief overview of the applications. He pointed out that the surrounding area is Desert Rural Density Residential (DR), and the proposed rezoning would be out of character with the surrounding land. Staff felt that changing to R as a transitional land use would be more appropriate than Low Density Residential.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 12 – GPA-5762

MINUTES – Continued:

At a previous General Plan Amendment meeting in December, some of the residents' concerns included smaller lot sizes, screening and building height.

MARGO WHEELER, Planning and Development, confirmed with GINA VENGLASS, Public Works, that Condition 10 on Item 13 [ZON-5765] would need to be deleted.

PAUL LARSEN, Attorney, 300 S. 4th Street, Las Vegas, appeared on behalf of the applicant. ATTORNEY LARSEN gave a detailed overview of the proposed development. For the record, he stated the applicant would agree to a condition stipulating the minimum size lot would be 10,000 square feet. There would be screening on the surrounding properties with landscape buffering and the block wall would be reconstructed as there is a hole in one of the resident's portion of the wall. He referenced but did not submit a letter from an appraiser that indicated the proposed project should not have any negative impact on the values of the surrounding properties. In addition, the sales price for the proposed development would probably exceed most of the appraisals for the surrounding property owners. ATTORNEY LARSEN concluded by stating that the proposed development would be a nice buffer and the property values of the neighborhood would be maintained.

DANIEL MARKOFF, 4816 Martinelli Court; DAVID STANSBERRY, 4816 W. Gowan Road; and MIKE MALONE, President, Northwest Area Residents Association (NARA), 3660 Thom Boulevard, opposed the proposed development and expressed concerns with the open space, rural environment, the two-story homes invading their existing privacy and what impact the proposed development and access point would have on increased traffic. In addition, if the ground level of each proposed home is higher than some of the existing properties, the water from the rains would drain on some of the properties on Gowan Road. MR. MALONE emphasized that the applicant was invited to three of the NARA meetings but did not attend any of these meetings. In addition, a sign was placed on the subject site advertising this proposed development was coming soon, but some of the residents were not informed of the proposed development nor of the Planning Commission meeting.

ATTORNEY LARSEN responded that the sign is advertising another development but was placed on the subject site and would be removed. He then reiterated that the proposed screening with landscaping and mature trees would alleviate some concerns with privacy. A drainage study would be done also and the applicant would comply with that drainage study. ATTORNEY LARSEN was not aware of the NARA meetings but assured the residents the applicant would be happy to meet with the residents. Regarding traffic and egress/ingress concerns, the applicant would adhere to any conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 12 – GPA-5762

MINUTES – Continued:

GINA VENGLASS, Public Works, informed COMMISSIONER STEINMAN that the applicant met the distance requirement from the corner, which is 220 feet, so a waiver of Title 18 is not needed for the location of the access point. COMMISSIONER STEINMAN commented that the actual distance is 150 feet from the corner, and making a left turn out of the subject site would be impossible and would create a hazard with the traffic going south on Decatur Boulevard then turning west onto Gowan Road. He felt that the proposed development should be redesigned and the street should be moved over to the western edge of the subject site.

Understanding the applicant's challenge with the proposed development and Decatur Boulevard being a busy street, COMMISSIONER McSWAIN still felt the proposed project would have an impact on the existing neighborhood. She supported staff's recommendation for denial.

COMMISSIONER DAVENPORT agreed with the previous Commissioners that the proposed development is not an appropriate use for the subject site. He also agreed with the residents that having the lots at a minimum of 20,000 square feet with one story units would be more acceptable. He could not support this application.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 12 [GPA-5762] and Item 13 [ZON-5765].

(6:23 – 6:44)

1-721

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5765 - REZONING RELATED TO GPA-5762 - PUBLIC HEARING - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – DENIED – UNANIMOUS with GOYNES excused

To be heard by the City Council on 4/06/2005

NOTE: Commissioner Davenport disclosed that Daniel Markoff represented him more than 10 years ago, so it would not affect his voting on this item.

MINUTES:

See Item 12 [GPA-5762] for related discussion on Item 12 [GPA-5762] and Item 13 [ZON-5765].

(6:23 – 6:44)

1-721

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - GPA-5775 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), Ward 5 (Weekly).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

93

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to WITHDRAW WITHOUT PREJUDICE – UNANIMOUS with McSWAIN abstaining as Terra Contracting is presently working with the owner of the subject property, DAVENPORT abstaining based on his inability to review revisions to the Site Plan and GOYNES excused

To be heard by the City Council on 4/06/2005

NOTE: Initial motion by Davenport to hold the item in abeyance failed. Commissioner Davenport then stated he would abstain on Items 14 – 17, as he was not comfortable voting on these items without having seen the discussed revisions on the Site Plan. DEPUTY CITY ATTORNEY BRYAN SCOTT advised Commissioner Davenport that it might be more appropriate for him to not support the item than to abstain. Commissioner Davenport chose to abstain.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 14 – GPA-5775

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 14 [GPA-5775], Item 15 [ZON-5776], Item 16 [VAR-5846] and Item 17 [SDR-5778].

DOUG RANKIN, Planning and Development, gave a brief overview of the applications. Staff recommended denial on the General Plan Amendment, as the density is not compatible with the surrounding rural density designation. The rezoning request is to R-PD4 but the abutting properties are R-E. The densities need to be closer in approximation. The variance request is to allow a R-PD4 on a parcel that is less than five acres, but staff again could not support a density of this request. The only revision to the Site Development Review Plan is that the larger lots decreased in size and the smaller lots increased in size; however, the number of lots remained at nine. As a result, the project is not in character with the surrounding area. Staff recommended denial on all applications.

CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the applicant. He clarified that there would now only be a total of seven lots. Residents, along with COUNCILMAN WEEKLY and COMMISSIONER COLLINS attended a neighborhood meeting that addressed issues the residents had. However, an agreement was not made relative to the density. ATTORNEY KAEMPFER advised CHAIRMAN NIGRO that staff did not have the added conditions, as he just received the Site Plan that day. CHAIRMAN NIGRO suggested trailing the item to give staff an opportunity to review the added conditions with ATTORNEY KAEMPFER. Also, in fairness to any residents who were in attendance at the meeting, CHAIRMAN NIGRO assured ATTORNEY KAEMPFER that staff and the residents would have an opportunity to comment on the proposed changes and added conditions after the item was trailed.

After trailing the item, ATTORNEY KAEMPFER stated that the General Plan Amendment could be kept as Rural with the zoning as R-PD3, which would allow for the seven lots. He emphasized that efforts have been made to address the residents' concerns while maintaining compatibility with the surrounding neighborhood. He asked staff to verify if the GPA would be necessary with the revisions.

MR. RANKIN confirmed that the GPA is no longer needed and MARGO WHEELER, Planning and Development, clarified that staff would ask the applicant if they wish to withdraw the GPA. The zoning would be amended to R-PD3 with the density at 3.24 units per acre, with the Variance remaining as is, and five conditions would be added to the Site Plan. ATTORNEY KAEMPFER agreed to withdrawing the GPA application, provided the seven lots are approved with the Rural designation, and the Variance as R-PD3.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 14 – GPA-5775

MINUTES – Continued:

ARLON and SUZAN SIBERT, 5980 W. Alfred Drive, Las Vegas Boulevard, reside directly behind the subject site. With the proposed project, there would be four homes behind them. They do not oppose to having residential on the subject site but would like to see fewer than seven homes, which would help maintain the character of the neighborhood. If approved, the existing residents would like a disclosure made informing new homebuyers that this is a rural neighborhood and is zoned for horses. MS. SIBERT stated that at the previous neighborhood meeting the residents agreed to have five units per acre. She also felt that some of the residents did not have the opportunity to review the revised Site Plan.

ATTORNEY KAEMPFER responded that at the previous meeting, the residents were shown a Site Plan with eight lots and were told that one lot would be deleted. He also advised the residents that the proposed density is consistent with the density of the development that is diagonal from the subject site. In addition, he informed the residents that there would be single story units on the lots that are adjacent to the existing homes.

MS. WHEELER confirmed that the GPA would not be necessary with the proposed seven units per acre and the R-PD3, so the Withdrawal Without Prejudice is appropriate. She confirmed with ATTORNEY KAEMPFER the agreed upon added conditions and then read them into the record.

COMMISSIONER DAVENPORT expressed concern with voting on these items without having seen a Site Plan reflecting the added conditions. He did not think it was proper to have these changes done at the podium and not be able to see them on a revised Site Plan. He suggested holding the items in abeyance for two weeks so the revised Site Plan could be reviewed and then he would be prepared to vote. If the application goes forward, he would abstain on these items. ATTORNEY KAEMPFER responded that he just received the revisions the day of this meeting. With staff's comments, CHAIRMAN NIGRO felt that the revisions were minor with some of the lots and not a major redesign of the proposed development.

MS. WHEELER informed COMMISSIONER EVANS that staff's recommendation remained as a denial, even with the added conditions. CHAIRMAN NIGRO responded to COMMISSIONER EVANS that when staff has an issue with the ability to review an application with late changes, they usually request more time to review the application. COMMISSIONER EVANS then asked if staff was comfortable going forward with the application. MR. RANKIN advised the Commission that staff reviewed the application with the added conditions and was comfortable going forward.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 14 – GPA-5775

MINUTES – Continued:

COMMISSIONER EVANS appreciated the reduced density but was frustrated as well. He agreed with COMMISSIONER DAVENPORT that it was not appropriate to redesign the Site Plan at the podium. Since he has been on the Commission, some items have been voted upon at the last minute and later became problematic because there was not sufficient time to review the information and make sound decisions. He was also concerned with the number of protests received and questioned if the residents' concerns had been mitigated with the changes.

Being that the GPA would be Withdrawn Without Prejudice and is not required with the changes, VICE CHAIRMAN TRUESDELL stated that he was comfortable with the revisions.

MR. LEOBOLD confirmed for COMMISSIONER EVANS that the minimum acreage required for R-PD is five, which was considered to be the minimum threshold that gives R-PD development flexibility in design. Since then, staff has found that this is more so true for smaller sites, as there is a gap between R-CL, which has inherited restrictions. COMMISSIONER EVANS still had a level of discomfort with the proposed project, as he felt he did not fully understand the project. Even with the reduced density and the improvements, COMMISSIONER EVANS stated the proposed project remained incompatible with the surrounding area. As a result, he could not support the application.

ATTORNEY KAEMPFER thanked the residents in the audience for attending the meeting and looked forward to working with them on the proposed development.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 14 [GPA-5775], Item 15 [ZON-5776], Item 16 [VAR-5846] and Item 17 [SDR-5778].

(6:44 – 6:53/7:21 – 7:49)

1-1472/1-3143

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5776 - REZONING RELATED TO GPA-5775 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), Ward 5 (Weekly).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

93

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED subject to conditions and adding the following condition:

- *The application shall be changed to R-PD3.*
- Motion carried with EVANS voting NO, McSWAIN abstaining as Terra Contracting is presently working with the owner of the subject property, DAVENPORT abstaining based on his inability to review revisions to the Site Plan, and GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

See Item 14 [GPA-5775] for related discussion on Item 14 [GPA-5775], Item 15 [ZON-5776], Item 16 [VAR-5846] and Item 17 [SDR-5778].

(6:44 – 6:53/7:21 – 7:49)

1-1472/1-3143

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 15 – ZON-5776

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5775) to an L (Low Density Residential) land use designation approved by the City Council.
2. A Variance (VAR-5846) to allow an R-PD development on less than five acres and a Site Development Plan Review (SDR-5778) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.

Public Works

4. Dedicate 25 feet of right-of-way adjacent to this site for Madre Mesa Drive.
5. Construct half-street improvements, including appropriate overpaving, on Madre Mesa Drive and construct all incomplete half-street improvements on Jones Boulevard adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the east boundary of this site prior to construction of hard surfacing (asphalt or concrete).
6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
7. Extend public sewer in Madre Mesa Drive to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 15 – ZON-5776

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-5846 - VARIANCE RELATED TO GPA-5775 AND ZON-5776 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.16 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED on property adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 5 (Weekly).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

24

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions – Motion carried with EVANS voting NO, McSWAIN abstaining as Terra Contracting is presently working with the owner of the subject property, DAVENPORT abstaining based on his inability to review revisions to the Site Plan, and GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

See Item 14 [GPA-5775] for related discussion on Item 14 [GPA-5775], Item 15 [ZON-5776], Item 16 [VAR-5846] and Item 17 [SDR-5778].

(6:44 – 6:53/7:21 – 7:49)

1-1472/1-3143

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 16 – VAR-5846

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-5776) and Site Development Plan Review (SDR-5778) approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5778 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5775, ZON-5776, AND VAR-5846 - PUBLIC HEARING - APPLICANT: S.B.A. DEVELOPMENT, INC. - OWNER: SF INVESTMENTS, LLC - Request for a Site Development Plan Review FOR A PROPOSED NINE LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 2.16 acres adjacent to the southeast corner of Jones Boulevard and Madre Mesa Drive (APN 138-13-301-001), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 5 (Weekly).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

24

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions, amending the following condition:

3. All development shall be in conformance with the site plan and building elevations *as submitted at the 2/24/2005 Planning Commission meeting and for a maximum of 7 lots.*

and adding the following conditions:

- Homes on Lots 1 and 7 shall face Madre Mesa Drive as shown on the site plan submitted at the 2/24/2005 Planning Commission meeting.
- Lot 6 shall have a wall constructed into a combination of block and wrought iron.
- Lots 1, 2, 3 and 4 shall be single story.
- Home sizes shall range from 1,900 square feet to 2,500 square feet for single-family dwellings and shall be a minimum of 3,000 square feet for two story homes.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 17 – SDR-5778

MOTION – Continued:

- **Disclosure on sales that rural property abuts the development, allowing the keeping of horses and other animals, shall be made by the developer to purchasers of these homes.**
 - **Motion carried with EVANS voting NO, McSWAIN abstaining as Terra Contracting is presently working with the owner of the subject property, DAVENPORT abstaining based on his inability to review revisions to the Site Plan, and GOYNES excused**

To be heard by the City Council on 4/06/2005

MINUTES:

See Item 14 [GPA-5775] for related discussion on Item 14 [GPA-5775], Item 15 [ZON-5776], Item 16 [VAR-5846] and Item 17 [SDR-5778].

(6:44 – 6:53/7:21 – 7:49)

1-1472/1-3143

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5775), Variance (VAR-5846), and Rezoning (ZON-5776) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 01/21/05, except as amended by conditions herein.
4. The setbacks for this development shall be a minimum of 18 feet to the front of the house, five feet on the side, five feet on the corner side, and 10 feet in the rear.
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 17 – SDR-5778

CONDITIONS – Continued:

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
10. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. A Master Streetlight Plan of public streetlights shall be submitted and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.
13. Site development to comply with all applicable conditions of approval for ZON-5776 and all other subsequent site-related actions.
14. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that the substandard public cul-de-sac bulb was approved as a deviation from Standards by the City Engineer on January 20, 2005.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5809 - REZONING - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), Ward 6 (Mack).

C.C.: 03/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

58

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with EVANS voting NO, McSWAIN abstaining as her company, Terra Contracting, is presently under contract with Richmond American Homes, and GOYNES excused

To be heard by the City Council on 3/16/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 18 [ZON-5809], Item 19 [VAR-5810] and Item 20 [SDR-5807].

GARY LEOBOLD, Planning and Development, gave a brief overview of the applications. The application was previously held in abeyance to allow the applicant time to redesign the Site Plan. The revisions include the number of lots being reduced to 58 lots, and there is now a 22% reduction in open space from the Code requirement.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 18 – ZON-5809

MINUTES – Continued:

Although there has been substantial improvement, staff recommended denial, as the application does not meet the test under State law for Variance. The applicant could meet the requirements if the lots were reduced further.

BOB GRONAUER, Attorney, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the applicant. He reiterated staff's overview of the proposed project. The access point is on Balsam Street. He referenced a previous application that was approved with the access point on Balsam Street. In addition, he pointed out in the northeastern portion of the subject site, there were some single-family homes that backed up to the existing daycare facility. In addressing this, there would be two homes that will be adjacent to the daycare facility.

JENNIFER SHRODES, 5695 N. Rainbow Boulevard, owner of the aforementioned daycare facility; SHERRY HUGHES, 5853 Rebecca Road; JIM EPPLEY, 5686 N. Rainbow Boulevard; KEITH PEARSON and MARIA KISCHER, 5710 N. Rainbow Boulevard; and RON JENSEN, 5631 Gilbert Lane all expressed their concerns and opposition to the proposed development. Pursuant to the previous abeyance, the applicant was required to meet with the residents prior to this meeting to discuss and try to resolve the residents' concerns. The developer had not done so. They requested the item be removed from the agenda or have an opportunity to work with the developer on a plan that is acceptable to the residents as well. The subject property backs up to MS. SHRODES' daycare facility, which is R-E zoning. The daycare facility is not open on weekends and holidays and there is not constant traffic throughout the day. Some felt that the proposed project was that of a low-income housing development and was not the best use for the subject site. In addition, the density is too high and out of character for the neighborhood, there is not adequate police and fire protection to handle a recently approved project and this subject development, they would like to protect any existing foliage that remains around the surrounding developments, and some wanted clarification on the acreage for the subject site. BRYAN SCOTT, Deputy City Attorney, clarified for MS. SHRODES that the Special Use Permit stays with the property and not the individual.

ATTORNEY GRONAUER respectfully disagreed with MS. SHRODES in that the subject property was zoned for commercial uses. If commercial was built on the subject site, it would be more intense than the proposed development and could possibly create a criminal element to the rear of the property. He emphasized that the proposed development is not low-income housing, and the applicant has made efforts to work with the residents in addressing their concerns.

VICE CHAIRMAN TRUESDELL stated that this area is an intense traffic area, where regional commercial uses are at double section lines. This area borders on City of Las Vegas, North Las Vegas and the County and there is R-E and R-CL zoning on the corners. He also pointed out

that Ann Road and Rainbow Boulevard were not rural streets. In all practicality, a daycare or private

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 18 – ZON-5809

MINUTES – Continued:

school is a commercial use but thrives being adjacent to residential and not commercial. He appreciated the residents' concerns but felt that the proposed development was appropriate for the subject site, given its location. The proposed development would have a more positive impact on the neighborhood than to leave this uncertainty of a commercial development with greater intensity.

ATTORNEY GRONAUER clarified for COMMISSIONER STEINMAN that the proposed homes would range from 1,300 to 1,800 square feet and the price points would range from \$270,000 to \$300,000. He disagreed with MS. SHRODES' comment regarding the proposed development being low-income housing. He agreed with ATTORNEY GRONAUER in that he did not think MS. SHRODES would want a commercial property backing up to her property with an alley. He felt the proposed development would alleviate that issue and would support the application.

ATTORNEY GRONAUER stated to COMMISSIONER EVANS, it was his understanding that the reason for the previous abeyance was to redesign the Site Plan. The issues involved the density and egress/ingress. He could not verify if a meeting with the residents was required, as he was not present at that meeting. He then pointed out to the Commission that MS. SHRODES and possibly another resident had received a revised copy of the Site Plan and attempts were made to contact MS. SHRODES to discuss the Site Plan to no avail. He added that there is a project across the street from the subject site that was recently approved as R-PD8 and has similar density and design, so it would be difficult to reduce the proposed development to four to six units per acre. COMMISSIONER EVANS was concerned that the residents had not been a part of the discussions relative to the proposed development. MS. HUGHES confirmed that she received the Site Plan and contacted the attorney's office. She was advised that ATTORNEY GRONAUER would contact her but did not do so until this meeting date.

CHAIRMAN NIGRO agreed with VICE CHAIRMAN TRUESDELL and COMMISSIONER STEINMAN in that the proposed development is more appropriate than commercial for the subject site. ATTORNEY GRONAUER apologized for any miscommunications and assured COMMISSIONER DAVENPORT that he would get the residents' address information and a meeting would be held with the residents. COMMISSIONER DAVENPORT then stated he would support the application.

To avoid future miscommunications, MARGO WHEELER, Planning and Development, confirmed with ATTORNEY GRONAUER that prior to Council, he would provide, in writing to staff, the results from the meeting to be held with the residents. MR. LEOBOLD advised that because of the tandem parking, which does not meet the Code, a condition was included requiring that a two-car driveway would be on some lots to allow for movement in and out of the

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 18 – ZON-5809

MINUTES – Continued:

garages. COMMISSIONER EVANS was concerned about the orientation of the garages as well and was disappointed in the design of the proposed development. MS. WHEELER clarified for COMMISSIONER DAVENPORT that the general notice was for R-PD10. The conditions already reflected R-PD8, and when the application goes forward, it would be noted as R-PD8.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 18 [ZON-5809], Item 19 [VAR-5810] and Item 20 [SDR-5807].

(6:53 – 7:21)

1-1805

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5804) to a ML (Medium-Low Density Residential) land use designation approved by the City Council.
2. This request shall be limited to the R-PD8 (Residential Planned Development – 8 units per acre) zoning district.
3. A Resolution of Intent with a two-year time limit.
4. A Variance (VAR-5810) and Site Development Plan Review application (SDR-5807) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

5. Construct half-street improvements, including appropriate overpaving and transition paving where applicable, on Rainbow Boulevard and Balsam Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 18 – ZON-5809

CONDITIONS – Continued:

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-5810 - VARIANCE RELATED TO ZON-5809 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Variance TO ALLOW 0.51 ACRES OF OPEN SPACE WHERE 1.09 ACRES IS THE MINIMUM AMOUNT REQUIRED IN CONJUNCTION WITH A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack).

C.C.: 03/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

58

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with EVANS voting NO, McSWAIN abstaining as her company, Terra Contracting, is presently under contract with Richmond American Homes, and GOYNES excused

To be heard by the City Council on 3/16/2005

MINUTES:

See Item 18 [ZON-5809] for related discussion on Item 18 [ZON-5809], Item 19 [VAR-5810] and Item 20 [SDR-5807].

(6:53 – 7:21)
1-1805

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 19 – VAR-5810

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5809) and Development Plan Review (SDR-5807).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5807 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5809 AND VAR-5810 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack).

C.C.: 03/16/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

58

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with EVANS voting NO, McSWAIN abstaining as her company, Terra Contracting, is presently under contract with Richmond American Homes, and GOYNES excused

To be heard by the City Council on 3/16/2005

MINUTES:

See Item 18 [ZON-5809] for related discussion on Item 18 [ZON-5809], Item 19 [VAR-5810] and Item 20 [SDR-5807].

(6:53 – 7:21)

1-1805

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 20 – SDR-5807

CONDITIONS:

Planning and Development

1. City Council approval of a General Plan Amendment (GPA-5804) to a MLA (Medium Low Attached Residential) designation, Rezoning (ZON-5809) to a R-3 (Medium Density Residential) Zoning District, and a Variance (VAR-5810) for a reduction of required open space.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 20 – SDR-5807

CONDITIONS – Continued:

- if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear.
7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 6-foot wall along Rainbow and Ann roads.
 8. Any wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
 9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Rainbow Boulevard and Ann Road.
 10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
 11. Air conditioning units shall not be mounted on rooftops.
 12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
 13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
 14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
 15. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 20 – SDR-5807

CONDITIONS – Continued:

Public Works

16. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Site development to comply with all applicable conditions of approval for ZON-5809 and all other site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard cul-de-sac bulbs are proposed on the site plan.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - MOD-5784 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Major Modification of the Lone Mountain West Master Development Plan TO CHANGE THE LAND USE DESIGNATION FROM: L (LOW DENSITY RESIDENTIAL) TO: MFM (MULTI-FAMILY MEDIUM RESIDENTIAL), AND TO AMEND TABLES #1, #2, #3 AND #4 (SECTION 2.2) TO REFLECT CHANGES TO THE LAND USE CATEGORIES AND NUMBER OF RESIDENTIAL UNITS on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), Ward 4 (Brown).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELLE – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5785 - REZONING RELATED TO MOD-5784 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), Ward 4 (Brown).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - VAR-5786 - VARIANCE RELATED TO MOD-5784 AND ZON-5785 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Variance TO ALLOW A PROPOSED 15 STORY BUILDING WHERE THREE STORIES IS THE MAXIMUM PERMITTED on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-5792 - VARIANCE RELATED TO MOD-5784, ZON-5785 AND VAR-5786 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC
 - Request for a Variance TO ALLOW 168 PARKING SPACES WHERE 222 SPACES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED 15 STORY RESIDENTIAL CONDOMINIUM DEVELOPMENT on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5781 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-5784, ZON-5785, VAR-5786 AND VAR-5792 - PUBLIC HEARING - APPLICANT/OWNER: UNIPRO HOLDINGS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 15 STORY, 125 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 5.00 acres adjacent to the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows Parkway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5769 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: GARETH J. SPICER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), Ward 1 (Tarkanian).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – APPROVED rezoning from R-1 to P-R subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 26 [ZON-5769] and Item 27 [SDR-5770].

DOUG RANKIN, Planning and Development, gave a brief overview of the applications. The applicant has requested to amend the zone change request from C-1 to P-R (Professional Office and Parking). Initially, the building was to be used for computer repairs; however, it will now be used for office space only. Staff has imposed conditions restricting computer sales or repair on premises. The redesign of the site has eliminated the need for waivers for minimum side-yard setbacks and lot width. Conditions are in place addressing the need for additional landscaping.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 26 – ZON-5769

MINUTES – Continued:

LES TRAVIS, Gary Guy Wilson Architects, appeared on behalf of the applicant and concurred with all conditions.

Subsequent to the motion by VICE CHAIRMAN TRUESDELL, COMMISSIONER DAVENPORT confirmed the motion of approval was for a zone change to P-R, not C-1.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 26 [ZON-5769] and Item 27 [SDR-5770].

(7:49 – 7:52)

2-626

CONDITIONS:

Planning and Development

1. A Site Development Plan Review (SDR-5770) approved by the City Council prior to issuance of any permits, site grading, or development activity for the site.
2. A Resolution of Intent with a two-year time limit.
3. No computer repair shall be performed on premises.
4. No new or used computers or ancillary equipment shall be sold on premises.

Public Works

5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
6. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
7. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5770 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5769 - PUBLIC HEARING – APPLICANT/OWNER: GARETH J. SPICER -
Request for a Site Development Plan Review FOR A PROPOSED 1,688 SQUARE-FOOT COMMERCIAL USE AND WAIVERS OF COMMERCIAL DEVELOPMENT STANDARDS FOR PERIMETER, FOUNDATION AND PARKING LOT LANDSCAPING; A WAIVER TO ALLOW A 27 FOOT FRONT SETBACK WHERE 20 FEET IS REQUIRED; AND A WAIVER TO ALLOW A 6.2 FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A COMMERCIAL USE on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 04/06/2005

MINUTES:

See Item 26 [ZON-5769] for related discussion on Item 26 [ZON-5769] and Item 27 [SDR-5770].

(7:49 – 7:52)
2-626

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 27 – SDR-5770

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5769) to a P-R (Professional Office and Parking) Zone approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, except as amended by conditions herein.
4. Waivers shall be granted in the front yard setback and in the perimeter, parking and foundation landscape standards, provided that additional landscaping is provided within the following areas as addressed in this report:
 - The landscape islands at the ends of the parking row.
 - Side yards.
 - A minimum 6.2-foot wide landscape planter in front.
 - Front yard island.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the additional landscape provisions in Item #4 above.
6. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
7. The façade of the existing residence shall be retained or improved to appear as a single-family dwelling with minor changes made to comply with building and safety codes.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting street.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 27 – SDR-5770

CONDITIONS – Continued:

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any new property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. The existing walls shall be painted or improved to have an attractive appearance and continuously maintained.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.
14. Hard surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.
16. Site development to comply with all applicable conditions of approval for ZON-5769 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RQR-5683 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC - Required One Year Review of an approved One Year Required Review (RQR-1974) WHICH APPROVED EIGHT EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APN 139-33-610-005, 139-33-511-003, 004, and 139-27-410-005, 008), PD (Planned Development) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5917 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND FOR A WAIVER OF THE REQUIRED 1,500 FOOT DISTANCE SEPARATION FROM A CHURCH, A SCHOOL AND A CHILD CARE FACILITY adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road (APN 139-18-410-005), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – **UNANIMOUS** with **NIGRO** abstaining because he is a business partner of one of the principles of this application in another project and **GOYNES** excused

To be heard by the City Council on 04/06/2005

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open on Item 29 [SUP-5917] and Item 30 [SDR-5916].

DOUG RANKIN, Planning and Development, gave a brief overview of the applications. The Site Plan was redrawn to establish a smaller parcel in the commercial subdivision. Staff then redrew the minimum distance radius to reflect the change and three protected uses exist.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 29 – SUP-5917

MINUTES – Continued:

The proposal is for a tavern. The development has landscape buffers on Rancho Road and on a proposed internal street. Staff has conditioned the item so that should the private street be removed or not be constructed, landscaping would be installed in that area.

RICHARD GALLEGOS, Gerald Garapich Architects, appeared on behalf of the applicant and concurred with all conditions. He oriented the Commissioners on the site and explained the primary access would be from an existing drive. Secondary/Fire Department access is also provided. Setback and landscaping requirements were exceeded and parking requirements were met. The project meets the height limit. There are three protected uses affecting this application, which include a school, church and daycare facility. Decatur Boulevard does separate the proposed tavern from the uses and that street is a 100-foot right-of-way. There is also a park to buffer the proposed tavern from those uses.

COMMISSIONER McSWAIN confirmed with MR. RANKIN that because of the 100-foot right-of-way on Decatur Boulevard, the applicant was able to apply for a separation waiver. She felt the intent of the 1,500-foot buffer had been met because the tavern would be in a developed, commercial area on Rancho Road.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 29 [SUP-5917] and Item 30 [SDR-5916].

(7:52 - 8:00)

2-752

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Tavern).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with Zoning Reclassification ZON-1401 and all other applicable site-related actions, except as amended by conditions herein.
4. Approval and conformance to a subsequent Site Development Plan Review (SDR-5916) by the Planning Commission and City Council.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 29 – SUP-5917

CONDITIONS – Continued:

5. All City Code requirements and design standards of all City departments must be satisfied.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5916 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5917 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: RANCHO AIR CENTER, INC. - Request for a Site Development Plan Review FOR A PROPOSED 5,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) on a 1.34 acre portion of a 31.42 site acres adjacent to the west side of Rancho Drive, approximately 250 feet north of Smoke Ranch Road (APN 139-18-410-005), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with NIGRO abstaining because he is a business partner of one of the principles of this application in another project and GOYNES excused

To be heard by the City Council on 04/06/2005

MINUTES:

See Item 29 [SUP-5917] for related discussion on Item 29 [SUP-5917] and Item 30 [SDR-5916].
(7:52 - 8:00)

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 30 – SDR-5916

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with Zoning Reclassification ZON-1401, the site plan and building elevations date stamped 01/05/05, Site Development Plan Review SDR-1404 (Rancho Air Center commercial subdivision), Master Sign Plan (MSP-4388) and all other applicable site-related actions, except as amended by conditions herein.
3. In the advent of the removal of the private drive aisle along the western and southern property lines, landscaping shall be provided.
4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 30 – SDR-5916

CONDITIONS – Continued:

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
14. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility prior to the issuance of any permits.
16. Site development to comply with all applicable conditions of approval of Zoning Reclassification ZON-1401, the Smoke Ranch Commercial Development subdivision and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5947 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (ON AND OFF-PREMISE SALE OF BEER AND WINE) at 1031 South Rampart Boulevard (APN 138-32-411-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 04/06/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 31 [SUP-5947] and Item 32 [SDR-5946].

GARY LEOBOLD, Planning and Development, gave a brief overview of the applications. The application was for a liquor establishment because other categories in the Code such as supper clubs, taverns and restaurant service bars do not apply to this request. The facility will offer wine tasting events and the public will be able to purchase beverages to consume on site and also to take off premise. There was no request for gaming operation approval.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 31 – SUP-5947

MINUTES – Continued:

NICK MISTRANGELO appeared on behalf of the applicant with ATTORNEY FRED WADE, a representative of the property owner and LENDALL MAINS, the project architect. MR. MISTRANGELO concurred with all conditions and requested approval. He also explained that an osteria is a style of Italian restaurant, which serves family style meals. The applicant wanted to bring some Italian culture to Las Vegas.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 31 [SUP-5947] and Item 32 [SDR-5946].

(8:00 – 8:05)
2-1031

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) and Title 6.50 of the Las Vegas Municipal Code.
2. No gaming operations shall be allowed.
3. The use shall be operated in conjunction with a restaurant.
4. Consumers may purchase alcoholic beverages in the original sealed or corked containers for consumption off the premises.
5. Conformance to the Site Development Plan Review (SDR-5946) approved by the City Council.
6. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5946 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5947 - PUBLIC HEARING - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - RAMPART COMMONS, LTD., LLC - Request for a Site Development Plan Review FOR A PROPOSED 737 SQUARE FOOT EXPANSION TO AN EXISTING SHOPPING CENTER on 8.28 acres at 1031 South Rampart Boulevard (APN 138-32-411-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 04/06/2005

MINUTES:

See Item 31 [SUP-5947] for related discussion on Item 31 [SUP-5947] and Item 32 [SDR-5946].
(8:00 – 8:05)

2-1031

CONDITIONS:

Planning and Development

1. Approval by the City Council of a Special Use Permit (SUP-5947) for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine).

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 32 – SDR-5946

CONDITIONS – Continued:

2. Compliance with the conditions of approval for the original Site Development Plan Review [Z-0017-90(34)] approved for the commercial center.
3. Expiration of this Site Development Plan Review two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development being in conformance with the site plan and building elevations date stamped 02/07/05, except as amended by conditions herein.
5. All exterior materials and architectural features for the building addition and for the front of the proposed Liquor Establishment (On and Off-Premise Sale of Beer and Wine) consisting of those established for the remaining center.
6. All mechanical equipment, air conditioners and trash areas being fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.
8. All City Code requirements and design standards of all City departments being satisfied.

Public Works

9. An update to the previously approved Drainage Plan and Technical Drainage Study being submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
10. The site development complying with all applicable conditions of approval for Z-0017-90 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-5945 - VARIANCE - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LTD., LLC - OWNER: SCANDIA FAMILY FUN CENTERS - Request for a Variance TO ALLOW TANDEM PARKING SPACES IN EXCESS OF 30 PERCENT OF THE OVERALL REQUIRED PARKING FOR A 50 STORY MIXED-USE PROJECT adjacent to the northwest corner of Rancho Road and Sirius Avenue (APN 162-08-702-002), M (Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the March 24, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5908 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YONG WEN - OWNER: GGP IVANHOE II, INC. - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND A WAIVER OF THE REQUIRED 400 FOOT DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY AND A SCHOOL at 4300 Meadows Lane (APN 139-31-510-019), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he has transactions with GGP Ivanhoe and his offices are within the notification area and GOYNES excused

To be heard by the City Council on 4/06/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development, gave a brief overview of the application. The proposed use would be a massage service with six chairs located in front of the Macy's store at the Meadows Mall. The protected use is a school that is located some distance from the actual use; however, the waiver is required because the distance is measured from the property line and

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 34 – SUP-5908

MINUTES – Continued:

the Meadows Mall is a large site.

YONG WEN appeared and concurred with all conditions. She indicated the service would be offered to shoppers who would like to relax and all of her employees would be licensed.

COMMISSIONER McSWAIN felt the separation requirement would not apply in this situation because the use is internal in the mall.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:05 – 8:08)

2-1193

CONDITIONS:

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Massage Establishment.
2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Waiver of the 400-foot separation requirement from a school and property zoned for residential use is hereby granted.
4. Conformance with all other City code requirements and design standards of all City departments.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5910 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLASSY CONSIGNMENT, INC. - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 4704 West Sahara Avenue, Suite #1 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by the City Council on 04/06/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development, gave a brief overview of the application.

JUDITH STONE, President, Classy Consignment, appeared and concurred with all conditions.

COMMISSIONER McSWAIN confirmed with MS. STONE that the proposed store would carry Macy's style ladies wear and accessories such as scarves, costume jewelry and possibly shoes.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:08 – 8:10)

2-1305

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 35 – SUP-5910

CONDITIONS:

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Secondhand Dealer.
2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance with all other City code requirements and design standards of all City departments.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5912 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: INDIA OVEN, INC. - OWNER: CHETAK DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 2218 Paradise Road (APN 162-03-411-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions, adding the following condition:

- *A private alley access and signage plan shall be submitted to the City for review and approval by Public Works and the Fire Department.*

and amending the following condition:

2. **Recordation of a license agreement** on the private drive between *all parcels comprising the shopping center property and the abutting properties to the north and west* prior to obtaining a Certificate of Occupancy. A copy of the recorded document shall be provided to the Planning and Development Department.

– **UNANIMOUS** with TRUESDELL abstaining because he has an economic interest in the subject property, DAVENPORT abstaining because he owns property within the notification area and GOYNES excused

To be heard by the City Council on 04/06/2005

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 36 – SUP-5912

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief overview of the application. The intent of the application is to offer beer and wine only in conjunction with meals to the customers. The restaurant will increase space by approximately 1,100 square feet. The site is parking impaired and to meet the parking requirements with the expansion, the center is proposing the addition of spaces along the rear of the multi-tenant building. The area proposed for the additional parking is a private alley that was vacated. A condition requiring the recordation of a Perpetual Access Easement on the private drive between this site and the abutting property, which the same owner currently holds has been imposed. This must be recorded prior to receiving a Certificate of Occupancy for the suite. Staff also wants to ensure the area is gated through a card pass system or other manner to prevent drive thru traffic in the alley, so it would only serve as employee parking.

DENNIS WATTS, 3810 Meadows Lane, appeared on behalf of the applicant and thanked staff for their cooperation with the application. He concurred with all conditions except for two issues pertaining to the gates and the easement. First, he proposed that the applicant be allowed to open the gates daily before the stores open and close them after business hours in lieu of having gates closed at all times. There is no power to the area and therefore, no way to power any type of mechanized gating system. Also, there would not be personnel in the rear parking area to watch such a system and assure that a malfunctioning gate arm or other problem would not result in damaged cars. The second item related to allowing the owners to enter into a license agreement between the two properties so that the properties would not be bound beyond the term of the lease or use by recording a Perpetual Access Easement.

MR. LEOBOLD indicated that the license agreement suggested by MR. WATTS would be an acceptable alternative to the access easement. He was concerned about the gate suggestion because if the gates were never closed, there would be nothing to prevent drivers from cutting through there. MR. WATTS said the applicant would be happy to install signage indicating the area is employee parking only. Also, the applicant would mail notices to the businesses in the center asking them to instruct employees to park in that area. There are only 12 spaces in the alley and he suggested they could be numbered and assigned to 12 employees. The use of the spaces would be designed and intended for employees only. MR. WATTS assured the Commission that there is adequate room to turn around in the alley. MR. LEOBOLD stated that the Planning Department would be satisfied with proper signage indicating “No Access” or “One Way Traffic” or something to that affect along with any requirements imposed by Public Works.

GINA VENGLASS, Department of Public Works, agreed that signage would be necessary. She noted that there is a sign on the existing gate; however, when the gates are open, the sign cannot

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 36 – SUP-5912

MINUTES – Continued:

be read until the gate is passed. She was concerned with Fire Services approving the situation. She confirmed with MR. WATTS that Fire Services did meet with the applicant when the alley was vacated and the gates were initially installed. There is an adequate turning radius at each end. MS. VENGLASS was not confident that when the applicant met with Fire Services for the gate installation that the Fire Department was aware the alley would be used for parking.

MR. WATTS informed the Commission that the gates were installed to prevent vagrants from moving between the buildings. Now, the gates have provided a safer and more secure area. That, combined with the security from the motel adjoining the property, has made the area usable for employee parking.

CHAIRMAN NIGRO confirmed with MR. LEOBOLD that it would be acceptable to place a condition requiring the submission of a signage plan and agreement acceptable to staff prior to the item being heard at City Council. MR. LEOBOLD also read a revision of Condition 2 into the record.

COMMISSIONER STEINMAN had discussion with MS. VENGLASS regarding a joint access agreement that was a requirement of approval for the nearby 73-story mixed-use project. The Commissioner stated that if staff was satisfied with the situation, he was satisfied as well.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:10 – 8:25)

2-1388

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.
2. Recordation of a perpetual access easement on the private drive between the shopping center property and the abutting property to the north prior to obtaining a Certificate of Occupancy. A copy of the recorded document shall be provided to the Planning and Development Department.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 36 – SUP-5912

CONDITIONS – Continued:

4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5938 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LIJUN ZHANG - OWNER: RAINBOW EXPRESS VILLAGE, LIMITED PARTNERSHIP -
Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND WAIVERS OF THE REQUIRED 1,000 FOOT DISTANCE SEPARATION FROM A SIMILAR USE, THE 400 FOOT DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY, AND HOURS OF OPERATION OF 8:00 A.M. TO 9:00 P.M. TO ALLOW THE HOURS OF OPERATION OF 10:00 A.M. TO 3:00 A.M. at 1750 South Rainbow Boulevard, Suite #12 (APN 163-02-212-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – DENIED – UNANIMOUS with GOYNES excused

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, gave a brief overview of the application. The use would have three massage rooms, a reception area, a waiting room, a break room, a shower and a storage area. Waivers are necessary because the use is 105 feet away from a condominium project and 385 feet from a similar use on the south side of West Oakey Boulevard. The applicant also requested a waiver to allow the hours of operation to be 10 a.m. to 3 a.m. Staff could not support the distance waiver or the hours of operation.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 37 – SUP-5938

MINUTES – Continued:

LIJUN ZHANG, applicant, appeared with XINGCHEN ZHAO, 5287 Cagney Court. The landlord could not attend the meeting so he sent a letter that MR. ZHAO referenced as he commented on the requested waivers. He noted that an eight-foot wall separates the proposed use from the condominium development. The similar use noted by MR. RANKIN is primarily a beauty salon and they offer massage only as an ancillary service. The requested hours of operation would allow the company to service clientele working odd shifts. Also, there are two bars in the shopping center and both are open 24 hours so the proposed use could attract some business from those establishments.

MARGARET MALLOY, 1610 Davilla Street, and RICHARD LEAVITT, 6841 West Oakey Boulevard, both complained of the noise generated by the two, 24-hour bars along with a new restaurant in the shopping center. There is loud music nightly until 3 a.m. and the patrons of these establishments often go out into the parking lot and make a lot of noise there as well. She showed several photographs of her property in relation to the shopping center and questioned the legitimacy of a massage parlor operating between two bars until 3 a.m. MR. LEAVITT found the request inappropriate.

MR. ZHAO replied that the applicant was flexible on the hours of operation. Those hours were requested to fit the schedule of individuals in a 24-hour town. Regarding noise, there would be no music playing from the shop.

VICE CHAIRMAN TRUESDELL stated that a request for a massage parlor located between two bars until 3 a.m. did not fit his understanding of regular massage parlor practice. He was unable to support the requested hours and questioned the appropriateness of the use in relation to the other uses in the center.

COMMISSIONER McSWAIN confirmed with MR. RANKIN that a day spa would need a Special Use Permit to offer massage and that staff does include day spas in the separation requirement calculations to avoid over saturation of this type of use. When the ordinance regarding massage parlors was drafted, there were 31 parlors in Ward 1 alone and that is the Ward this proposed use was within. Addressing the question of legitimacy, MR. RANKIN indicated it would be hard for Planning staff to make the determination. He suggested that the Business License Department would be better equipped to answer such questions. He pointed out that any business that conducts illegal activity is subject to having the business license revoked.

COMMISSIONER McSWAIN stated she would support staff's recommendation of denial. There is a separation requirement and she questioned the requested hours of operation. Also, she did not feel the use was appropriate in the shopping center.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 37 – SUP-5938

MINUTES – Continued:

COMMISSIONER EVANS pointed out that the requested hours of operation were of particular concern to him.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:25 – 8:39)
2-1996

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-5941 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PAUL ALTIERI-FINEX - OWNER: CHERNG FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND WAIVERS OF THE REQUIRED 1,000 FOOT DISTANCE SEPARATION FROM A SIMILAR USE AND 200 FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE at 4416 East Bonanza Road (APN 140-29-401-003), R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 04/06/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESELLE – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 38 [SUP-5941] – UNANIMOUS with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-5955 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: BEAZER HOMES HOLDINGS CORPORATION - Request for a Waiver of Title 18.08.110 & Title 18.12.510(A)(1) TO PERMIT SUBDIVISION PERIMETER WALLS WITH RETAINING WALLS TO EXCEED A HEIGHT OF SIX FEET WITHOUT A MINIMUM FOUR FOOT WIDE LANDSCAPED HORIZONTAL OFF-SET adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), T-C (Town Center) Zone [ML-TC (Medium-Low Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUESDELL – Motion to bring forward and **HOLD IN ABEYANCE** Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; **WITHDRAW WITHOUT PREJUDICE** Item 38 [SUP-5941] – **UNANIMOUS** with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-5956 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: BEAZER HOMES HOLDINGS CORPORATION - Request for a Waiver of Section D.2.A.6 of the Town Center Development Standards TO PERMIT SUBDIVISION PERIMETER WALLS WITH RETAINING WALLS TO EXCEED A HEIGHT OF SIX FEET WITHOUT A MINIMUM FIVE FOOT WIDE LANDSCAPED HORIZONTAL OFF-SET adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), T-C (Town Center) Zone [ML-TC (Medium-Low Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TRUEDELL – Motion to bring forward and **HOLD IN ABEYANCE** Item 3 [TMP-5935], Item 39 [WVR-5955] and Item 40 [WVR-5956] to the 3/10/2005 Planning Commission meeting; Item 28 [RQR-5683] and Item 33 [VAR-5945] to the 3/24/2005 Planning Commission meeting; Item 5 [VAC-5793], Item 21 [MOD-5784], Item 22 [ZON-5785], Item 23 [VAR-5786], Item 24 [VAR-5792], Item 25 [SDR-5781] to 4/28/2005 Planning Commission meeting; **WITHDRAW WITHOUT PREJUDICE** Item 38 [SUP-5941] – **UNANIMOUS** with GOYNES excused

MINUTES:

GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

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DISCUSSION

SUBJECT:

SDR-5943 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: TMC MGT - OWNER: SAN MICHELE GARY LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 216 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 8.52 acres at 5800 West Lake Mead Boulevard (APN 138-24-215-005), R-4 (High Density Residential) Zone, Ward 5 (Weekly).

C.C.: 04/06/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS with GOYNES excused

To be heard by City Council 04/06/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief overview of the application. The development, a 216-unit apartment building conversion would exceed current parking standards by four spaces. Staff has found the existing landscaping deficient and has imposed a condition to address that issue.

DAVID TURNER, Baughman & Turner Consulting Engineers, appeared on behalf of the applicant and concurred with all conditions.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 41 – SDR-5943

MINUTES – Continued:

LINDA LERA-RANDLE EL, Founder and Executive Director of Straight From The Streets, an organization that deals with homeless people, stated concern over too many apartment conversions making the existing housing shortage in Las Vegas worse. Many families are doubling up in homes to make ends meet and have a roof over their heads. Nobody wants low-income housing in their neighborhood but the people have to live somewhere. Now, the homes that could be rented are being converted to a for sale product. She wanted to bring the situation to the Commission's attention.

COMMISSIONER McSWAIN concurred that the Commission should look into the conversion situation to see what the overall impact to the community might be. She suggested that perhaps there could be a workshop on the topic. She concluded by stating she would support the proposed application because it did meet the necessary criteria for approval. COMMISSIONER STEINMAN added that the entire Valley is going to have to deal with the situation of taking housing away from the workers of the community. The people who support the basic industry of the community will suffer from the housing shortage.

COMMISSIONER EVANS said that he has heard MAYOR GOODMAN, COUNCILMAN BROWN and COUNCILMAN WOLFSON comment that they share the concerns being discussed. He asked MARGO WHEELER, Director, Planning and Development Department, to expand on the issue. She indicated that the topic of condominium conversions and rental units would be the first topic on the agenda for the next Planning Workshop scheduled for July 21, 2005. Staff is compiling information pertaining to the City, the County and other areas in the Country. CHAIRMAN NIGRO pointed out that the meetings are open and the public can attend.

VICE CHAIRMAN TRUESDELL confirmed with MR. TURNER that the units were built in 1997. His concern related to the maintenance responsibility for older conversions. The associations would have to be funded with adequate reserves to deal with deferred maintenance issues. This issue could affect the economy of the development community and he felt there should be disclosures to the buyers of the older conversions.

COMMISSION STEINMAN concurred with VICE CHAIRMAN TRUESDELL. He thought that in California, there are required disclosures pertaining to reserves. In Nevada, NRS 116 has a provision that associations must have proper reserves. On older properties there will be deferred maintenance and items will need replacing. He agreed that disclosure of reserves is vital in conversion situations.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:39 – 8:50)
2-2639

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 41 – SDR-5943

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations of Special Use Permit/Site Development Plan Review (U-0024-95) and Rezoning (Z-0028-99) except as amended by conditions herein.
3. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. A landscaping plan must be submitted prior to or at the same time application is made for a Tentative Map reflecting conformance with the landscape plan date stamped 07/15/99 from Rezoning application (Z-0028-99).
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
6. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

PLANNING COMMISSION MEETING OF FEBRUARY 24, 2005
Planning and Development Department
Item 41 – SDR-5943

CONDITIONS – Continued:

7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.
9. All existing and proposed gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
10. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
11. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Z-28-99 and all other subsequent site-related actions.

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 24, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

RICK SCHROEDER, Department of Public Works, Traffic Engineering Division, announced that the Rainbow Curve was scheduled to close at 9 p.m.

(8:50 – 8:50)

2-3209

MEETING ADJOURNED AT 8:51 P.M.

Respectfully submitted:

ARLENE COLEMAN, DEPUTY CITY CLERK

STACEY CAMPBELL, DEPUTY CITY CLERK